

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
High-Cost Universal Service Support)	WC Docket No. 05-337
)	
Federal-State Joint Board on Universal Service)	CC Docket No. 96-45
)	
Request for Review of Decision of Universal Service Administrator by Corr Wireless Communications, LLC)	

**Comments of the Telephone Association of Maine
Filed October 7, 2010**

The Telephone Association of Maine (TAM)¹ hereby offers the following comments on the above captioned proceeding.

In ¶ 20 of the ***Order and Proposed Rulemaking*** issued on September 3, 2010, in the above captioned proceeding (*Order*), the Commission indicates that:

“We further direct USAC to reserve any reclaimed funds as a fiscally responsible down payment on proposed broadband universal service reforms, as recommended in the National Broadband Plan, including to: index the E-rate funding cap to inflation to enhance broadband opportunities for children, teachers, schools, and libraries; support a Mobility Fund to improve 3G

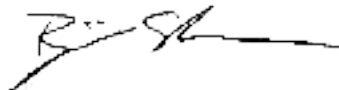
¹ TAM’s members are Fairpoint Communications of Northern New England, Northland Telephone Company, China Telephone Company, Maine Telephone Company, Standish Telephone Company, Sidney Telephone Company, Cobbooseecontee Telephone Company, Community Service Telephone Company, Hampden Telephone Company, Hartland & St. Albans Telephone Company, Somerset Telephone Company, The Islands Telephone Company, Warren Telephone Company, Oxford Telephone Company, Oxford West Telephone Company, Unitel, Mid-Maine Telcom, Saco River Telegraph & Telephone Company, The Pine Tree Telephone & Telegraph Company, Lincolnville Networks and Tidewater Telecom. These Comments reflect the position of the Association as a whole. Individual members of TAM may hold different positions than those set forth in these Comments and as such reserve the right to file additional comments or positions as they may deem appropriate. These Comments should be attributed to TAM as a whole and not to any individual company or companies.

wireless broadband service in states with the worst coverage today; improve utilization of the Rural Health Care program to advance telemedicine in rural areas across the country, including Tribal lands; and, in the long term, directly support broadband Internet services for all Americans”

TAM is concerned that this is putting the cart before the horse. So far the National Broadband Plan, which in and of itself lacks any legal standing, has not had any of the pertinent referenced sections adopted in Rule or law. Indeed, there remains a fundamental question, raised by many members of Congress, as to whether and to what extent the Commission has the authority to eliminate Universal Service for telephony in order to assert jurisdiction over broadband. As such, dedicating funds to support broadband programs in the future seems premature, and may raise questions as to whether and to what extent the Commission has already made up its mind on changes to the Rules that have not yet been put out for comment.

Nonetheless, TAM believes that it is important to prepare for future contingencies in the event that, after a full and unbiased review by the Commission and approval by Congress, a fundamental shift to broadband regulation and support is approved by the Commission. Accordingly, TAM would suggest that the Commission direct USAC to reserve the returned CETC funds as part of the existing Universal Service Fund and waive section 54.709(b) as necessary to accomplish this goal. In this way the funds will be available for future needs without creating the appearance of bias by specifically reserving funds to support programs that have been proposed but have not yet been formally ruled on by the Commission.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Ben Sanborn", with a long horizontal flourish extending to the right.

Benjamin Sanborn, Esq.
Telephone Association of Maine

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